

MULTIMEDIA



UNIVERSITY

STUDENT ID NO

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MULTIMEDIA UNIVERSITY

FINAL EXAMINATION

TRIMESTER 1, 2018 / 2019

PIL0012 – INTRODUCTION TO LAW
(All Sections / Groups)

16 OCTOBER 2018
2.30 p.m. - 4.30 p.m.
(2 Hours)

INSTRUCTIONS TO STUDENT

1. This question paper consists of **TWO (2)** printed pages excluding the cover page.
2. Answer **ONE** question from Section A and **ALL** questions from Section B.
3. All answers should be written in the Answer Booklet.

SECTION A: ESSAY [25 MARKS]

Instruction: Answer ONE question only.

QUESTION 1A

“A statute is the written will of the Legislature and it is the fundamental rule of interpretation of a statute that it should be expounded according to the intent of Parliament. The courts must use the literal rule where a clear meaning of a statute will allow it, i.e., interpret the statute literally, according to its ordinary plain meaning.”

[Mohd Ghazali Yusoff FCJ in *Dr Koay Cheng Boon v Majlis Perubatan Malaysia*
(2012) 4 CLJ 445]

Discuss the above statement with reference to statutory interpretation and support your answer with relevant authorities.

(25 marks)

QUESTION 1B

“The golden rule of statutory interpretation is that ordinary words must be given their ordinary meanings and technical words their technical meanings, unless absurdity would result.”

[Abdul Rahman Sebli JCA in *Hooman Khanloo v Public Prosecutor* (2015) MLJU
312]

Explain the above statement and support your answer with relevant authorities.

(25 marks)

Continued...

SECTION B: ESSAY [75 MARKS]

Instruction: Answer ALL questions.

QUESTION 2

Studying effectively will not only provide the students with the opportunity to try and improve their academic performance, but will also help to make study a more enjoyable and satisfying experience. Successful study does not simply involve spending a lot of time reading books.

[A. Bradney, F.Cownie, J. Masson, A. Neal, D. Newell, *How to Study Law*, 1995, Sweet & Maxwell, London]

In light of the above statement, explain in detail the methods of legal study.

(25 marks)

QUESTION 3

Selena wishes to obtain a writ for an indirect trespass to land in order to bring her claim under the common law court. The writ for trespass to land is available, unfortunately it covers only a direct act that is, wrongfully being on someone else's land. No writ is available for an indirect act. Therefore, no action can be taken.

In view of the above, explain to Selena the defects of the common law system.

(25 marks)

QUESTION 4

Under the adversarial system, the parties are the one who determine the issue and evidence to prove their claims. This indeed shows the active role of the parties in a trial and particularly the counsels who play the dominant roles.

[Nuraisyah Chua Abdullah, *Q & A on Malaysian Courts, Statutes, Cases & Contract, Tort and Criminal Law*, 2012, ILBS, Selangor]

In view of the above statement, discuss the application of the adversarial system in Malaysia.

(25 marks)

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